

HCDistrictclerk.com REYNAGA, VIKY (INDIVIDUALLY AND A/N/F XX vs. 8/12/2016
KAWALA, TOM
Cause: 201645957 CDI: 7 Court: 151

APPEALS

No Appeals found.

COST STATMENTS

No Cost Statments found.

TRANSFERS

No Transfers found.

POST TRIAL WRITS

No Post Trial Writs found.

ABSTRACTS

No Abstracts found.

SETTINGS

No Settings found.

NOTICES

No Notices found.

SUMMARY

CASE DETAILS

File Date 7/11/2016
Case (Cause) Location Civil Intake 1st Floor
Case (Cause) Status Active - Civil
Case (Cause) Type Motor Vehicle Accident
Next/Last Setting Date N/A
Jury Fee Paid Date 7/12/2016

COURT DETAILS

Court 151st
Address 201 CAROLINE (Floor: 11)
HOUSTON, TX 77002
Phone:7133686222
JudgeName MIKE ENGELHART
Court Type Civil

ACTIVE PARTIES

Name	Type	Post Attorney Jdgm
REYNAGA, VIKY (INDIVIDUALLY AND A/N/F XXXXXX) (MINOR) 4909 BISSONNET, BELLAIRE, TX 77401	PLAINTIFF - CIVIL	STERN, JEFFREY M.
KAWALA, TOM	DEFENDANT - CIVIL	
XPO LOGISTICS TRUCKLOAD INC (D/B/A CON-WAY TRUCKLOAD)	DEFENDANT - CIVIL	
XXXXXX (MINOR CHILD)	PLAINTIFF - CIVIL	STERN, JEFFREY M.
CON-WAY TRUCKLOAD	DEFENDANT - CIVIL	
KAWALA, TOM BY SERVING THROUGH THE TEXAS TRANSPORTATION COMMISSION AT 4701 E 32ND, JOPLIN, MO 64804	REGISTERED AGENT	
XPO LOGISTICS TRUCKLOAD INC (DBA CON-WAY TRUCKLOAD) (A FOREIGN FOR-	REGISTERED AGENT	

INACTIVE PARTIES

No inactive parties found.

JUDGMENT/EVENTS

Date	Description	Order Signed	Post Jdgm	Pgs Volume /Page	Filing Attorney	Person Filing
7/11/2016	JURY FEE PAID (TRCP 216)			0		
7/11/2016	ORIGINAL PETITION			0	STERN, JEFFREY M.	REYNAGA, VIKY (INDIVIDUALLY AND A/N/F XXXXX) (MINOR)
7/11/2016	ORIGINAL PETITION			0	STERN, JEFFREY M.	XXXXX (MINOR CHILD)

SERVICES

Type	Status	Instrument	Person	Requested	Issued	Served	Returned	Received	Tracking	Deliver To
CITATION (STATE HIGHWAY COMMISSION)	SERVICE RETURN/EXECUTED	ORIGINAL PETITION	KAWALA, TOM BY SERVING THROUGH THE TEXAS TRANSPORTATION COMMISSION AT	7/11/2016	7/12/2016	7/29/2016			73265538	MAIL TO ATTORNEY
CITATION CORPORATE	SERVICE RETURN/EXECUTED	ORIGINAL PETITION	XPO LOGISTICS TRUCKLOAD INC (DBA CON-WAY TRUCKLOAD) (A FOREIGN FOR-	7/11/2016	7/12/2016	7/29/2016			73265548	MAIL TO ATTORNEY

DOCUMENTS

Number	Document	Post Jdgm	Date	Pgs
71435797	Citation (State Highway Commission)		08/11/2016	3
71435832	Citation Corporate		08/11/2016	3
71022723	Plaintiffs' Original Petition, Jury Demand and Request for Disclosure		07/11/2016	7
-> 71022724	Civil Case Information Sheet		07/11/2016	1
-> 71022725	Civil Process Request		07/11/2016	1
-> 71022726	Filing letter		07/11/2016	1

2016-45957 / Court: 151

CAUSE NO. _____

VIKY REYNAGA, INDIVIDUALLY
AND A/N/F XXXXX,
MINOR CHILD

V.

TOM KAWALA and
XPO LOGISTICS TRUCKLOAD, INC.
D/B/A CON-WAY TRUCKLOAD§
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§

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

____ JUDICIAL DISTRICT

**PLAINTIFFS' ORIGINAL PETITION, JURY DEMAND
AND REQUEST FOR DISCLOSURE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, VIKY REYNAGA, INDIVIDUALLY AND A/N/F XXXXX, MINOR CHILD, Plaintiffs in the above entitled and numbered cause, complaining of and against TOM KAWALA and XPO LOGISTICS TRUCKLOAD, INC. D/B/A CON-WAY TRUCKLOAD, Defendants herein, and for causes of action would respectfully show unto the Court the following:

I.
DISCOVERY CONTROL PLAN

1.0 Discovery is intended to be conducted under Level 3 of the Texas Rules of Civil Procedure 190.

II.
PARTIES

2.0 Plaintiffs are residents of Harris County, Texas.

2.1 Defendant, **TOM KAWALA** is an individual residing in the State of Missouri, who, pursuant to the provisions of Section 17.061, et seq., Texas Civil Practice and Remedies Code, and §17.041, et seq., the Texas Long-Arm Statute, may be served by and through the Texas Transportation Commission, 125 East 11th Street, Austin, Texas 78701-2483, via certified mail,

return receipt requested, who shall then forward the citation and petition to Defendant, may be served by and through his last known address: 4701 E. 32nd, Joplin, Mo 64804, or wherever he may be found.

2.2 Defendant, **XPO LOGISITCS TRUCKLOAD, INC. D/B/A CON-WAY TRUCKLOAD** is a Foreign For-Profit Corporation and may be served through its registered agent of service, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, Texas 78701-3218, or wherever he/she may be found.

III. JURISDICTION & VENUE

3.0 Venue is proper in Harris County, Texas, pursuant to Tex. Civ. Prac. & Rem. Code §15.001 *et seq.* because all or a substantial part of the events or omissions giving rise to the claims arose in Harris County, Texas. This Court has jurisdiction over the parties and subject matter hereof. The amount in controversy exceeds the minimum jurisdictional limits of this Court.

IV. FACTS

4.0 On or about June 18, 2016, Plaintiff was lawfully driving a 2012 Nissan Rogue, traveling south on 610 Loop, a street located in Houston, Harris County, Texas. At the time in question, Defendant **TOM KAWALA** was driving a 2013 Volvo Tractor Trailer, traveling in the same directions. Defendant failed to control speed, striking one vehicle, and then failed to pass to the right safely, striking Plaintiffs' vehicle.

4.1 At such time, Defendant **TOM KAWALA** was working in the course and scope of his employment with **XPO LOGISITCS TRUCKLOAD, INC. D/B/A CON-WAY TRUCKLOAD**.

**VI.
DAMAGES**

6.0 Said elements of damage which Plaintiffs seek to recover from Defendants include compensation for the following:

1. The physical pain and mental anguish sustained by Plaintiffs from date of injury to the time of trial;
2. The physical pain and mental anguish that Plaintiffs will suffer in the future;
3. Loss of earnings sustained by Plaintiffs from date of injury to time of trial;
4. Loss of earnings and earning capacity reasonably anticipated to be suffered by Plaintiffs in the future;
5. Reasonable and necessary medical expenses incurred by Plaintiffs in the treatment of Plaintiffs' injuries from date of injury to time of trial;
6. Reasonable and necessary medical expenses reasonably anticipated to be sustained by Plaintiffs in the future for treatment of Plaintiffs' injuries;
7. Past and future physical disfigurement; and
8. Past and future physical impairment.

As such, Plaintiffs affirmatively plead that they seek monetary relief over \$200,000.00 but not more than \$1,000,000.00.

**VII.
REQUEST FOR JURY TRIAL**

7.0 Plaintiffs request a jury trial.

**VIII.
ALTERNATIVE PARAGRAPH NO. 1**

8.0 In the alternative, Plaintiffs would show that if any injury and/or condition from which they currently suffer were pre-existing, then such condition was aggravated and/or exacerbated by the negligence of the Defendants herein.

IX.
ALTERNATIVE PARAGRAPH NO. 2

9.0 In the alternative, Plaintiffs would show that if they suffer from any subsequent injury and/or condition, then such injury and/or condition was aggravated and/or exacerbated by the negligence of the Defendants herein.

X.
REQUEST FOR DISCLOSURE

10.0 Pursuant to Rule 194 of the Texas Rules of Civil Procedure, you are hereby requested to disclose, within fifty (50) days of service of this document, the information or material described below. Please serve your responses on counsel representing these Plaintiffs, and produce true and correct copies of all documents and other tangible items with your responses, in accordance with Rule 194.4.

10.1 Plaintiffs request disclosure of the following, pursuant to Rules 194.2(a) through 194.2(l):

- (a) the correct names of the parties to the lawsuit;
- (b) the name, address, and telephone number of any potential parties;
- (c) the legal theories and, in general, the factual bases of Defendant's claims or defenses;
- (d) the amount and any method of calculating economic damages;
- (e) the name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case;
- (f) for any testifying expert:
 - (1) the expert's name, address, and telephone number;
 - (2) the subject matter on which the expert will testify;
 - (3) the general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to the control of Defendant, documents reflecting such information;

- (4) if the expert is retained by, employed by, or otherwise subject to the control of Defendant:
 - (A) all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and
 - (B) the expert's current resume and bibliography;
- (g) any discoverable indemnity and insuring agreements;
- (h) any discoverable settlement agreements;
- (i) any discoverable witness statements;
- (j) in a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills that are reasonably related to the injuries or damages asserted or, in lieu thereof, an authorization permitting the disclosure of such medical records and bills;
- (k) in a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills obtained by the responding party by virtue of an authorization furnished by the requesting party.
- (l) the name, address, and telephone number of any person who may be designated as a responsible third party.

**XI.
PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that these Defendants be cited to appear and answer herein, and that upon final trial hereof, Plaintiffs recover from said Defendants, jointly and severally, a sum over \$200,000.00 but not more than \$1,000,000.00, costs of Court, pre-judgment and post-judgment interest at the legal rate, and demand for judgment for all other relief to which the Plaintiffs deemed entitled.

Respectfully submitted,
THE STERN LAW GROUP


JEFFREY M. STERN

SBN: 19175000

4909 Bissonnet St., Suite 100

Bellaire, Texas 77401

713/661-9900

713/666-5922 Facsimile

Email: jstern@stern-lawgroup.com

ATTORNEY FOR PLAINTIFF

Unofficial Copy Office of Chris Daniel District Clerk

CIVIL CASE INFORMATION SHEET (REV. 2/13)

2016-45957 / Court: 151

CAUSE NUMBER (FOR CLERK USE ONLY):

COURT (FOR CLERK USE ONLY):

Chris Page - District Clerk
Harris County
Envelope No: 11573711
By: CUERO, NELSON
Filed: 7/11/2016 5:19:34 PM

STYLED VIKY REYNAGA, IND. AND A/NF XXXXX, MINOR CHILD v. TOM KAWALA and XPO LOGISTICS TRUCKLOAD, INC. D/B/A CON-WAY TRUCKLOAD

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact Information for person completing case information sheet: Name: Jeffrey M. Stern Email: jstern@stern-lawgroup.com Address: 4909 Bissonnet St., Suite 100 City/State: Bellare, Texas 77401 Telephone: (713) 861-9900 Fax: (713) 866-5922 Signature: [Signature] State Bar No: 19175680		Names of parties in case: Plaintiff(s)/Petitioner(s): Viky Reynaga, Ind. Viky Reynaga and xxxxx, Minor Child Defendant(s)/Respondent(s): Tom Kawala XPO Logistics Truckload, Inc. dba Con-Way Truckload [Attach additional page as necessary to list all parties]		Person or entity completing sheet is: <input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other:					
2. Indicate case type, or identify the most important issue in the case (select only 1):		Family Law							
Civil		Family Law							
Contract <input type="checkbox"/> Consumer DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:		Injury or Damage <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input checked="" type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability <input type="checkbox"/> List Product: <input type="checkbox"/> Other Injury or Damage:		Real Property <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:		Marriage Relationship <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:		Post-judgment Actions (non-Title IV-D) <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:	
Employment <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:		Other Civil <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:		Probate & Mental Health <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:					
Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax:		Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings:							
3. Indicate procedure or remedy, if applicable (may select more than 1):									
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover					
4. Indicate damages sought (do not select if it is a family law case):									
<input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000									

2016-45957 / Court: 151

CIVIL PROCESS REQUEST

CASE NUMBER: _____ CURRENT COURT: _____

TYPE OF INSTRUMENT TO BE SERVED: Plaintiff's Original Petition

FILE DATE OF MOTION:

SERVICE TO BE ISSUED ON:

1. NAME: Tom Kawala
ADDRESS: 4701 E. 32nd, Joplin, MO 64804
AGENT:
TYPE OF SERVICE: Citation
SERVICE BY: **Texas Transportation Commission: AFTER
CITATION HAS BEEN COMPLETED, PLEASE
RETURN IT TO US FOR SERVICE TO BE
PERFECTED.**
2. NAME: XPO Logistics Truckload Inc. d/b/a Con-way Truckload
ADDRESS: 211 E. 7th St., Suite 620, Austin, Texas 78701-3218
AGENT: Corporation Service Company d/b/a CSC-Lawyers
Incorporating Service Company
TYPE OF SERVICE: Citation
SERVICE BY: **Private process service: AFTER CITATION HAS
BEEN COMPLETED, PLEASE RETURN IT TO US FOR
SERVICE TO BE PERFECTED.**

.....
ATTORNEY REQUESTING SERVICE:

**Jeffrey M. Stern, SBN: 19175660, Stern Law Group, 4909 Bissonnet St.,
Suite 100, Bellaire, Texas 77401, 713/661-9900, 713/666-5922 Facsimile,
jsstern@stern-lawgroup.com**

Chris Daniel - District Clerk
Harris County
Envelope No: 11573711
By: CUERO, NELSON
Filed: 7/11/2016 5:19:34 PM

2016-45957 / Court: 151
STERN LAW GROUP

July 8, 2016

Writer's E-Mail Address:
jsstern@stern-lawgroup.com

VIA E-File

Mr. Chris Daniel
Harris County District Clerk
201 Caroline, Suite 420
Houston, Texas 77002

**RE: No. _____; Viky Reynaga, Individually and a/n/f
XXXXX, Minor Child v. XPO Logistics Truckload, Inc. d/b/a
Con-Way Truckload; In the _____ Judicial District Court
of Harris County, Texas.**

Dear Mr. Daniel:

Enclosed for filing regarding the above referenced cause please find the following:

- Plaintiff's Original Petition, Jury Demand and Request for Disclosure;
- Civil Case Information Sheet; and
- Civil Process Request Form.

Payment is also included to cover filing fees and the preparation of two (2) citations for service.

After citations have been prepared, please return them to our office so that service may be perfected.

Please acknowledge receipt of this instrument (s) by affixing the electronic file date and time of filing on a copy of this document and return the same to us via electronic mail.

Thank you for your attention and cooperation.

Very truly yours,

JEFFREY M. STERN

JMS/tg
Enclosure
41130.01

8/11/2016 11:00:54 AM
 Chris Daniel - District Clerk Harris County
 RECEIPT NUMBER _____ Envelope No. 12114325
 TRACKING NUMBER 7326 BY JIMMY RODRIGUEZ
 Filed: 8/11/2016 11:00:54 AM

CAUSE NUMBER 201645957

PLAINTIFF: REYNAGA, VIKY (INDIVIDUALLY AND A/N/F XXXXX) (MINOR)
VS.
DEFENDANT: KAWALA, TOM

**In The 151st
 Judicial District Court of
 Harris County, Texas**

CITATION CORPORATE

**THE STATE OF TEXAS
 County of Harris**

TO: XPO LOGISTICS TRUCKLOAD INC (DBA CON-WAY TRUCKLOAD) (A FOREIGN FOR-
 PROFIT CORPORATION) BY SERVING THROUGH ITS REGISTERED AGENT CORPORATION
 SERVICE COMPANY (DBA CSC-LAWYERS INCORPORATING SERVICE COMPANY)

211 E 7TH STREET SUITE 620 AUSTIN TX 787013218

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION JURY DEMAND AND REQUEST FOR DISCLOSURES.

This instrument was filed on the 11th day of July, 20 16, in the
 above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED; you may employ an attorney. If you or your attorney do not file a written answer with the
 District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were
 served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This Citation was issued under my hand and seal of said Court, at Houston, Texas, this 12th day of
July, 20 16.

Issued at request of:
 STERN, JEFFREY M.
 4909 BISSONNET, SUITE 100
 BELLAIRE, TX 77401
 Tel: (713) 661-9900
 Bar Number: 19175660



Chris Daniel
 CHRIS DANIEL, District Clerk
 Harris County, Texas
 201 Caroline, Houston, Texas 77002
 P.O. Box 4651, Houston, Texas 77210

Generated by: CHAMBERS, WANDA RENE ULW//104304

OFFICER/AUTHORIZED PERSON RETURN

I received this citation on the _____ day of _____, 20____, at _____ o'clock ____ M., endorsed
 the date of delivery thereon, and executed it at _____,
 (street address) (city)

in _____ County, Texas on the _____ day of _____, 20____, at _____ o'clock ____ M.,
 by delivering to _____, by delivering to its

(the defendant corporation named in citation)
 _____, in person, whose name is _____,
 (registered agent, president, or vice-president)

a true copy of this citation, with a copy of the _____ Petition attached,
 (description of petition, e.g., "Plaintiffs Original")

and with accompanying copies of _____
 (additional documents, if any, delivered with the petition)

I certify that the facts stated in this return are true by my signature below on the _____ day of _____, 20____.

FEE: \$ _____

By: _____
 (signature of officer)

Printed Name: _____

AFFIDAVIT OF SERVICE

State of Texas

County of Harris

151st Judicial District Court

Case Number: 201645957

Plaintiff:
VIKY REYNAGA (INDIVIDUALLY AND A/N/F XXXXX) (MINOR CHILD)

vs.

Defendant:
TOM KAWALA, ET AL

For:
Jeffrey Stern
Stern Law Group
4909 Bissonnet, Suite 100
Bellaire, TX 77401

Received by THE HAWKINS AGENCY on the 19th day of July, 2016 at 8:01 am to be served on XPO LOGISTICS TRUCKLOAD INC (DBA CON-WAY TRUCKLOAD) (A FOREIGN FOR-PROFIT CORPORATION) BY DELIVERING TO ITS REGISTERED AGENT CORPORATION SERVICE COMPANY (DBA CSC-LAWYERS INCORPORATING SERVICE COMPANY), 211 E 7TH STREET SUITE 620, AUSTIN, TRAVIS County, TX 78701.

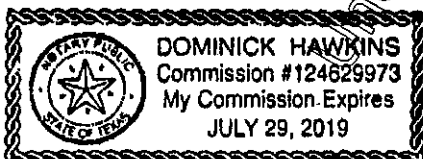
I, SHAWN MORGAN, being duly sworn, depose and say that on the 29th day of July, 2016 at 11:39 am, I:

delivered a true copy of the Citation, Plaintiff's Original Petition, Jury Demand and Request for Disclosure to: XPO LOGISTICS TRUCKLOAD INC (DBA CON-WAY TRUCKLOAD) (A FOREIGN FOR-PROFIT CORPORATION) BY DELIVERING TO ITS REGISTERED AGENT CORPORATION SERVICE COMPANY (DBA CSC-LAWYERS INCORPORATING SERVICE COMPANY) at the address of: 211 E 7TH STREET SUITE 620, AUSTIN, TRAVIS County, TX 78701, by Certified Mail Return Receipt Requested in compliance with state statutes.

I am an authorized private process server, authorized by the Texas Supreme Court. I am over the age of eighteen (18) and I am not a party to nor interested in the outcome of this lawsuit. I am of sound mind and capable of making this Affidavit. I am fully competent to testify to the matters stated herein. I am personally acquainted with the facts herein stated in this Affidavit which are true and correct.

Subscribed and Sworn to before me on the 5th day of August, 2016 by the affiant who is personally known to me.

NOTARY PUBLIC



SHAWN MORGAN
SCH-5979 EXP: 5/31/17

THE HAWKINS AGENCY
P. O. Box 2601
Houston, TX 77252-2601
(281) 888-3991


Our Job Serial Number: THA-2016002201
Ref: 41130.01 VIKY REYNAGA (TG)



DO NOT WRITE IN THESE SPACES

Complete items 1, 2, and 3.
 your name and address on the reverse
 that we can return the card to you.
 With this card to the back of the mailpiece,
 the front if space permits.

Logistics Truckload INC
One-way Truckload
Corporation Service Company
SC-Lawyers Incorporating See
7th Street Suite 620
TX 78701



590 9402 1338 5285 1398 02

File Number (Transfer from service label)

— SEE THIS SECTION ON DELIVERY

A Signature

•

Agent*,

Addressee

Rate of Delivery

5106

$$\frac{1}{V_{\text{eff}}} = \frac{1}{V_{\text{eff}}^{\text{eff}}} + \frac{1}{V_{\text{eff}}^{\text{eff}}}$$

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Willis F. ...
Massachusetts ...

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CAUSE NO. 201645957

8/11/2016 10:59:15 AM
 Chris Daniel - District Clerk Harris County
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 By: JIMMY RODRIGUEZ
 Filed: 8/11/2016 10:59:15 AM

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TR # 73265538

PLAINTIFF: REYNAGA, VIKY (INDIVIDUALLY AND A/N/F XXXXX) (MINOR)
 vs.
 DEFENDANT: KAWALA, TOM

In The 151st
 Judicial District Court
 of Harris County, Texas
 151ST DISTRICT COURT
 Houston, TX

CITATION (STATE HIGHWAY COMMISSION)

STATE OF TEXAS
 County of Harris

TO: KAWALA, TOM BY SERVING THROUGH THE TEXAS TRANSPORTATION COMMISSION AT
 125 EAST 11TH STREET AUSTIN TEXAS 78701-2483
 FORWARD TO:
 4701 E 32ND JOPLIN MO 64804

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION JURY DEMAND AND REQUEST FOR DISCLOSURES

This instrument was filed on the 11th day of July, 2016, in the above cited cause number _____ and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were served this citation and petition, default judgment may be taken against you.

OFFICER SERVING:

This citation was issued on 12th day of July, 2016, under my hand and seal of said Court.

Issued at request of:

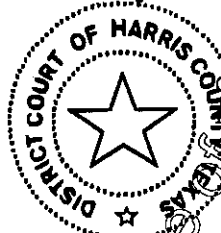
FERN, JEFFREY M.

109 BISSENET, SUITE 100

MILLIAIRE, TX 77401

Tel: (713) 661-9900

Tr No.: 19175660



Chris Daniel
 CHRIS DANIEL, District Clerk
 Harris County, Texas

1001 Caroline Houston, Texas 77002

(P.O. Box 4651, Houston, Texas 77210)

GENERATED BY: CHAMBERS, WANDA RENE ULW//10430493

OFFICER/AUTHORIZED PERSON RETURN

Delivered to hand at _____ o'clock _____ M., on the _____ day of _____.

Executed at (address) _____ in

_____ County at _____ o'clock _____ M., on the _____ day of _____.

_____, by delivering to _____ defendant, in person, a true copy of this Citation together with the accompanying _____ copy(ies) of the _____ Petition

attached thereto and I endorsed on said copy of the Citation the date of delivery.

I certify which I affix my hand officially this _____ day of _____.

Fee: \$ _____

_____ of _____ County, Texas

AFFIDAVIT OF SERVICE

State of Texas

County of Harris

151st Judicial District Court

Case Number: 201645957

Plaintiff:
VIKY REYNAGA (INDIVIDUALLY AND A/N/F XXXXX) (MINOR CHILD)

vs.

Defendant:
TOM KAWALA, ET AL

For:
Jeffrey Stern
Stern Law Group
4909 Bissonnet, Suite 100
Bellaire, TX 77401

Received by THE HAWKINS AGENCY on the 19th day of July, 2016 at 7:56 am to be served on TOM KAWALA BY DELIVERING TO THE TEXAS TRANSPORTATION COMMISSION, 125 EAST 11TH STREET, AUSTIN, TRAVIS County, TX 78701.

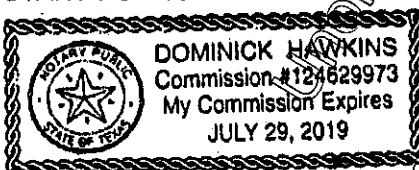
I, SHAWN MORGAN, being duly sworn, depose and say that on the 29th day of July, 2016 at 7:03 am, I:

delivered a true copy of the Citation, Plaintiff's Original Petition, Jury Demand and Request for Disclosure to: XPO LOGISTICS TRUCKLOAD INC (DBA CON-WAY TRUCKLOAD) (A FOREIGN FOR-PROFIT CORPORATION) BY DELIVERING TO ITS REGISTERED AGENT CORPORATION SERVICE COMPANY (DBA CSC-LAWYERS INCORPORATING SERVICE COMPANY) at the address of: 211 E 7TH STREET SUITE 620, AUSTIN, TRAVIS County, TX 78701, by Certified Mail Return Receipt Requested in compliance with state statutes.

I am an authorized private process server, authorized by the Texas Supreme Court. I am over the age of eighteen (18) and I am not a party to nor interested in the outcome of this lawsuit. I am of sound mind and capable of making this Affidavit. I am fully competent to testify to the matters stated herein. I am personally acquainted with the facts herein stated in this Affidavit which are true and correct.

Subscribed and Sworn to before me on the 5th day of August, 2016 by the affiant who is personally known to me.

NOTARY PUBLIC



SHAWN MORGAN
SCH-5979 EXP: 5/31/17

THE HAWKINS AGENCY
P. O. Box 2601
Houston, TX 77252-2601
(281) 888-3991

Our Job Serial Number: THA-2016002200
Ref: 41130.01 VIKY REYNAGA (TG)

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Updated Delivery Day: Friday, July 29, 2016

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Return Receipt

See tracking for related item: 9590940213385285159905

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Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
July 29, 2016 , 7:03 am	Delivered	AUSTIN, TX 78714
Your item was delivered at 7:03 am on July 29, 2016 in AUSTIN, TX 78714.		
July 29, 2016 , 4:45 am	Arrived at Unit	AUSTIN, TX 78714
July 29, 2016 , 3:58 am	Departed USPS Facility	AUSTIN, TX 78710
July 29, 2016 , 12:44 am	Arrived at USPS Destination Facility	AUSTIN, TX 78710
July 27, 2016 , 11:11 pm	Arrived at USPS Origin Facility	NORTH HOUSTON, TX 77315
July 27, 2016 , 6:15 pm	Acceptance	HOUSTON, TX 77002

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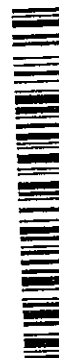
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your name and address on the reverse
that we can return the card to you.
Put this card to the back of the mailpiece,
with the front of space permits.

Addressed to:

Kawala
Texas Transportation Commission
East 11th Street
Austin, TX 78701



9590940213385285159905

File Number (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ AddresseeB. Receipt by (Printed Name) ☐ Date of DeliveryC. Signature of (Printed Name) ☐ Date of DeliveryD. Is delivery address different from item label? ☐ Yes ☒ No

If YES, enter delivery address below: